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20 **UNITED STATES DISTRICT COURT**

21 **DISTRICT OF NEVADA**

22 SHIGE TAKIGUCHI, et. al, Individually and
23 On Behalf of All Others Similarly Situated,

24 Plaintiffs,
v.

25 MRI INTERNATIONAL, INC., EDWIN J.
26 FUJINAGA, JUNZO SUZUKI, PAUL
27 MUSASHI SUZUKI, LVT, INC., dba
28 STERLING ESCROW, and DOES 1-500,

Defendants.

Case No.: 2:13-cv-01183-HDM-NJK

**STIPULATION AND ORDER RE
LIQUIDATION OF LIFE INSURANCE
POLICIES AND PAYMENT OF
FUNDS PURSUANT TO FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT**

1 WHEREAS, plaintiffs Shige Takiguchi, et al. (“Plaintiffs”) and (1) Junzo Suzuki, (2)
2 Paul Suzuki, (3) Keiko Suzuki, (4) the Suzuki Enterprises, Inc. Profit Sharing Plan, (5) Catherine
3 Suzuki, trustee of the Junzo Suzuki Irrevocable Trust, (6) Catherine Suzuki, trustee of the Keiko
4 Suzuki Irrevocable Trust, (7) Catherine Suzuki, trustee of the Junzo Suzuki and Keiko Suzuki
5 Irrevocable Trust, (8) Suzuki Enterprises, Inc., (9) Puuikena Investments LLP, (10) Catherine
6 Mai Suzuki, trustee of the Catherine Suzuki Irrevocable Trust dated May 10, 2013, and (11) Paul
7 Musashi Suzuki, trustee of the Paul Musashi Suzuki Irrevocable Trust dated May 10, 2013
8 (collectively, the “Suzuki Defendants”) are collectively referred to herein as the “Parties”;

9 WHEREAS, on December 11, 2017 the Suzuki Defendants entered into a Settlement
10 Agreement with Plaintiffs by which they agreed to surrender and liquidate certain life insurance
11 policies and pay the surrender value to Plaintiffs as consideration for resolution this action;

12 WHEREAS, on May 22, 2018 the Court granted final approval of the class action
13 settlement with the Suzuki Defendants (Dkt. 840);

14 WHEREAS, pursuant to the Settlement Agreement, the following life insurance policies
15 shall be surrendered by the Suzuki Defendant and liquidated, with the entire surrender proceeds
16 wire transferred to the Court appointed claims administrator, Heffler Claims Group to be held in
17 a qualified settlement fund:

- 18 1. Pacific Guardian Life Policy No. 0007225184 owned by Keiko Suzuki;
- 19 2. New York Life Policy No. 46-908-188 owned by Suzuki Enterprises, Inc.; and
- 20 3. New York Life Policy No. 38-164-436 owned by Junzo Suzuki.

21 WHEREAS, as of June 22, 2018, this Court’s preliminary injunction order (Dkt. 183)
22 freezing the assets of the Suzuki Defendants is permanently lifted and vacated;

23 NOW, therefore, the Parties stipulate as follows:

- 24 1. Pacific Guardian Life is ordered to process the surrender of Policy No. 0007225184
25 owned by Keiko Suzuki, and transfer the entire surrender value of Policy No.
26 0007225184 to the qualified settlement account designated by Heffler Claims Group;

1 2. New York Life is ordered to process the surrender of Policy No. 46-908-188 owned
2 by Suzuki Enterprises, Inc. and transfer the entire surrender value of Policy No. 46-
3 908-188 to the qualified settlement account designated by Heffler Claims Group;
4 3. New York Life is ordered to process the surrender of Policy No. 46-908-188 owned
5 by Suzuki Enterprises, Inc. and transfer the entire surrender value of Policy No. 46-
6 908-188 to the qualified settlement account designated by Heffler Claims Group; and
7 4. The Suzuki Defendants are ordered to reasonably cooperate with Plaintiffs and the
8 life insurance policy issuers as necessary in effectuating the surrender of the above
9 policies.

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11 Dated: June 22, 2018

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15
16 By: /s/ James Gibbons
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24 By: /s/ Nicolas Morgan

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27 Attorneys for Defendant the Suzuki
28 Defendants

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30 By: /s/ Robert W. Cohen
31 ROBERT W. COHEN
32 MARIKO TAENAKA
33 Attorneys for Plaintiffs

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35 PURSUANT TO STIPULATION, IT IS SO ORDERED.

36 DATED: June 22, 2018

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40 United States District Judge